

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 SEP -8 AM 10:43

UNITED STATES OF AMERICA,) Magistrate Docket No.
Plaintiff,)
v.)
Alonzo ARAUJO-Delgado,)
Defendant)

'08 MJ 2759
COMPLAINT FOR VIOLATION OF: OMb DEPUTY
Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States
)

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

The undersigned complainant, being duly sworn, states:

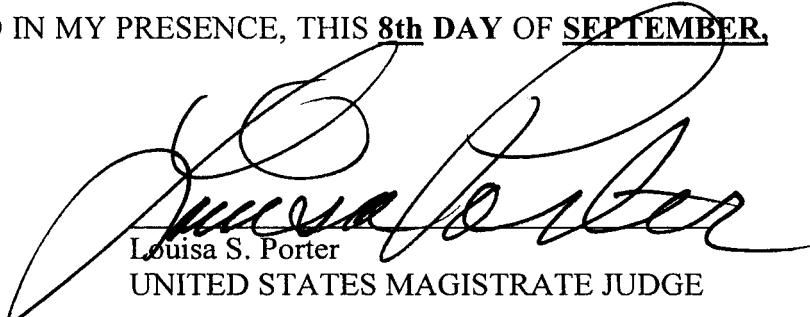
On or about **September 5, 2008** within the Southern District of California, defendant, **Alonzo ARAUJO-Delgado**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT
Terri L. Dimolios
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 8th DAY OF SEPTEMBER,
2008


Louisa S. Porter
UNITED STATES MAGISTRATE JUDGE

DOA 9/5/08
DMb

CONTINUATION OF COMPLAINT:
Alonzo ARAUJO-Delgado

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

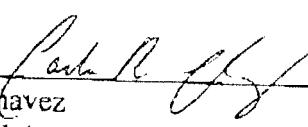
On September 5, 2008, Senior Patrol Agent R. Ewers was assigned patrol duties in the Campo Border Patrol Station's area of responsibility. This area is located approximately 15 miles east of the Tecate, California Port of Entry and approximately one mile north of the United States/Mexico International Boundary. Individuals attempting to further their entrance into the United States frequent this area.

At approximately 9:00 a.m., Agent Ewers heard Border Patrol Agent R. Muro via Service radio that he had found footprints for a group of individuals going north across the Cedillo Canyon Road near Boulevard, California. Agent Ewers proceeded to Agent Muro's location and took over the tracking of the group. Agent Ewers followed the footprints for approximately two miles in a general northern direction when he observed a group of seven individuals hiding in the thick brush approximately 15 yards to his west. Agent Ewers immediately identified himself as a United States Border Patrol Agent and began to question each individual as to their immigration status. All subjects, including one later identified as defendant **Alonzo ARAUJO-Delgado**, readily admitted to being citizens and nationals of Mexico and were not in possession of any immigration or travel documents that would allow them to be in, or remain in the United States legally. At approximately 11:30 a.m., all the subjects including the defendant were arrested and transported to the Border Patrol Station in Campo, California for further processing.

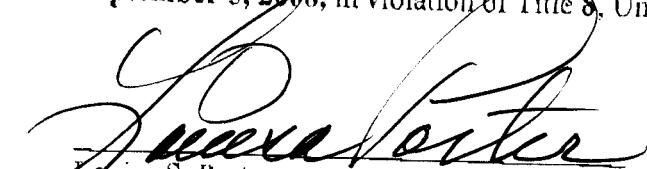
Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **August 9, 2002** through **Calexico, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

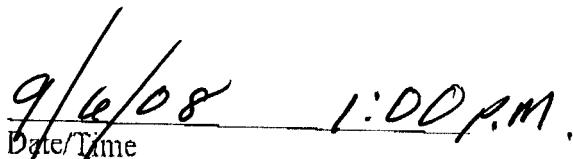
The defendant was advised of his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted that he is a citizen and national of Mexico illegally present in the United States. The defendant further admitted that he had been previously deported from the United States and has not applied or requested permission to re-enter the United States legally.

Executed on September 6, 2008 at 9:00 a.m.


Carlos R. Chavez
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on September 5, 2008, in violation of Title 8, United States Code, Section 1326.


Louisa S. Porter
United States Magistrate Judge


9/6/08 1:00 p.m.
Date/Time